

claimed in the above-identified patent application. Invention I has Claims 1-5 and 11 drawn to a system for analyzing nucleic acid. Invention II has Claims 6-10 drawn to a method for generating revenue from particular scoring of data. Invention III has Claims 12-16 drawn to a method for producing a nucleic acid analysis involving comparison of two signals from two nucleic acid samples. Invention IV has Claims 17-22 drawn to a method for resolving the DNA mixtures involving representing a DNA profile data of a mixed sample in a linear equation. Applicant elects Invention IV having Claims 17-22 drawn to a method for resolving the DNA mixtures involving representing DNA profile data of a mixed sample in a linear equation, with traverse.

Applicant requests the Examiner reconsider the restriction requirement and rescind it in regard to Inventions I, III and IV. The reason the Examiner should rescind the restriction requirement is that a review of the claims of Invention I will reveal the patentability of the claims of Invention III and the claims of Invention IV without necessarily having to search any other classes or subclasses besides those subclasses or classes searched for the patentability of Claims 1-5 and 11 of Invention I. For instance, Invention IV has Claim 17 with the limitation of "representing the data in a linear equation." Claim 1 has the limitation of ". . . detecting the fragments to form a sample signal and a size standard signal . . . transforming the sample signal into size coordinates using the size standard signal . . ." which can be considered a linear equation. Invention III has the limitation of "comparing the first signal with the second signal . . . to form a comparison", which can be considered a linear

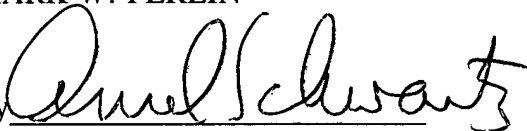
equation. Accordingly, each of the independent claims of 12, 17 of Invention III and Invention IV, respectively, have limitations that would be revealed in a patentability review of Claims 1-5 and 11 of Invention I. Accordingly, no additional classes or subclasses will need to be searched to determine the patentability of Inventions III and IV from the classes and subclasses searched for the claims of Invention I.

If the Examiner does not agree with applicant's position, then after the Examiner places the restriction requirement in final status, the applicant will cancel the non-elected claims.

In view of the foregoing amendments and remarks, it is respectfully requested that the outstanding rejections and objections to this application be reconsidered and withdrawn, and Claims 1-22, now in this application be allowed.

Respectfully submitted,

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